

Exhibit 8: Analysis of Defendants' "Fees for Researching Standing"

Date	Name	Ds' Est. Time	Actual Time	Lodestar Rate	Fees at Lodestar Rate	Description	Notes
9/1/13	Nussbaum	1.5	0.5	\$610	\$305.00	Review and respond to several email messages from Prof. Rick Garnett re the law as to jus tertii and standing of the association captive to challenge regulation applying to TPA that has the secondary effect of burdening the captive's religious liberty interests. Begin drafting agenda for September 8 meeting.	
12/11/13	Speir	0.6	0.2	\$420	\$84.00	Office conference with Messrs. Nussbaum and Mahaffey regarding lawsuit, application for members, named plaintiffs , and standing issues.	
12/18/13	Hall	1.0	1.0	\$510	\$510.00	Review and reply to correspondence from Mr. Mahaffey re associational standing, including legal research of Wright & Miller treatises on same.	
12/18/13	Gleason	0.3	0.3	\$545	\$163.50	Review emails from Messrs. Mahaffey, Hall, and Speir regarding named plaintiffs and associational standing.	
12/18/13	Speir	3.4	1.1	\$420	\$462.00	Research variety of issues impacting litigation (venue , associational standing, collateral estoppel for future members or non-plaintiff members). Office conference with Mr. Nussbaum and phone conference with Ms. Matthews regarding variety of issues impacting litigation (identity of plaintiffs, venue , associational standing, collateral estoppel for future members or non-plaintiff members).	
12/23/13	Speir	4.8	0.8	\$420	\$336.00	Research on associational standing, venue , and other issues impacting the location, claims, and strategy of litigation; correspondence with Mr. Nussbaum and others regarding same. Draft complaint.	
12/27/13	Nussbaum	0.3	0.1	\$610	\$61.00	Conference with Mr. Speir re issues standing party and other issues related to the drafting of the complaint.	
12/27/13	Hall	0.2	0.2	\$510	\$102.00	Review legal analysis related to standing and the rights of the association.	
12/28/13	Gleason	0.2	0.2	\$545	\$109.00	Review email from Mr. Speir regarding results of legal research of associational standing issues.	
2/3/14	Speir	3.9	1.2	\$420	\$504.00	Office conference with Mr. Mahaffey and correspondence with Messrs. Mahaffey and Nussbaum regarding associational standing. Draft master memo summarizing and discussing major litigation questions and issues.	Master memo included a wide range of issues, including standing
2/4/14	Speir	2.6	0.7	\$420	\$294.00	Draft master memo summarizing and discussing major litigation questions and issues.	Master memo included a wide range of issues, including standing
2/5/14	Nussbaum	1.0	1.0	\$610	\$610.00	Review memorandum re associational standing and related issues. Conference with Mr. Speir re same.	

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2/5/14	Speir	1.0	1.0	\$420	\$420.00	Office conference with Mr. Nussbaum regarding working master memorandum and status of members who join the Association but not the Insurance Company. Update portions of working master memo pertaining to associational standing and membership criteria .	
2/12/14	Mahaffey	2.4	1.9	\$610	\$1,159.00	Review memo re standing and other issues . Research re standing issues. Office conference with Mr. Speir.	
2/12/14	Speir	5.7	2.0	\$420	\$840.00	Revise working master memorandum in light of meeting with Messrs. Nussbaum and Mahaffey; correspondence with Messrs. Nussbaum and Mahaffey regarding same. Office conference with Mr. Mahaffey regarding associational standing, relief on behalf of Group III employers, and litigation issues involving proposed third- party administrator.	Master memo included a wide range of issues, including standing
2/18/14	Mahaffey	1.1	0.5	\$610	\$305.00	Review complaint. Office conference with Messrs. Nussbaum and Speir re associational standing issues and named parties.	
2/24/14	Nussbaum	2.0	0.4	\$610	\$244.00	Conference call with Messrs. Plachy and Speir to discuss class certification issues. Further conference with Messrs. Speir and Kniffin related to venue analysis, drafting of preliminary injunction parties, and related issues. Attention to venue and standing issues.	
2/25/14	Speir	6.9	1.5	\$420	\$630.00	Draft preliminary injunction). Phone conference with Mr. Nussbaum and Mr. Kinkopf regarding Archdiocese's membership and potential plaintiff status. Office conference with Messrs. Nussbaum and Mahaffey regarding issues of church plans and impact on standing and burden in litigation; correspondence with Mr. Nussbaum regarding same. Revise and draft complaint.	
3/5/14	Nussbaum	7.5	2.0	\$610	\$1,220.00	Analyze factual issues re each plaintiff. Gather additional facts re same. Revision of complaint. Research standing and procedural issues. Review Oklahoma local rules.	
4/4/14	Speir	3.0	0.7	\$420	\$294.00	Review ACLU's amicus brief; office conferences with Mr. M. Nussbaum and Mr. E. Kniffin regarding response; research case law on standing, injury in fact , and whether a limitation of options satisfies standing requirements; office conference with Ms. A. Martinez regarding docketing calendar for case	
4/7/14	Speir	1.4	1.4	\$420	\$588.00	Draft reply in support of motion for preliminary injunction (portions related to standing)	
4/8/14	Speir	5.5	5.5	\$420	\$2,310.00	Draft reply in support of motion for preliminary injunction (portions related to standing); related case law research and office conferences with Mr. M. Nussbaum	

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Date	Name	Ds' Est. Time	Actual Time	Lodestar Rate	Fees at Lodestar Rate	Description	Notes
4/8/14	Kniffin	9.5	3.5	\$440	\$1,540.00	Draft brief section responding to ACLU. Legal research on Larson, CCU v. Weaver, and related cases; meet with Mr. I. Speir and Mr. M. Nussbaum to discuss progress and remaining to dos; analyze Mandate rulings on whether dioceses have standing; legal research and draft on whether Good Will Publishers has standing	
5/19/14	Nussbaum	2.5	-	\$610	\$0.00	Draft report to board of directors and officers re oral arguments; phone conference with Mr. R. Hoefling re possible affidavit from Goodwill Publishing; draft affidavit; Review draft affidavit for Mr. R. Hoefling; conference with Mr. I. Speir re relative advantages and disadvantages of providing court with additional affidavit in support of Goodwill Publishing standing; exchange email messages with Professor M. Rienzi re Catholic Benefits Association	Discussion regarding litigation strategy is not time "researching standing."
5/19/14	Speir	0.3	-	\$420	\$0.00	Office conference with Mr. M. Nussbaum regarding potential supplemental affidavit from Good Will Publishers pertinent to standing issue	Discussion regarding litigation strategy is not time "researching standing."
6/8/14	Mahaffey	2.4	0.5	\$610	\$305.00	Review Mr. E. Kniffin's memo re new members; review case law re association standing; email to Mr. M. Nussbaum re interpretation and administration of order for future members	
6/30/14	Speir	8.0	0.7	\$420	\$294.00	Review Hobby Lobby decision; office conferences with Messrs. M. Nussbaum, W. Mahaffey, and E. Kniffin regarding impact on CBA lawsuit(s); assign summer associate (Mr. J.M. Guevara) to listen to Federalist Society teleforum on Hobby Lobby case and take notes regarding same; review notes and provide comments to Mr. J. Guevara; review motion for temporary restraining order and brief in support; review Mr. D. Hyams' memorandum regarding collateral estoppel effect of CBA I; phone conference with Ms. Ables regarding filing of new lawsuit (CBA II); analysis of standing for The Catholic Insurance Company in new lawsuit (CBA II); correspondence with Messrs. M. Nussbaum and E. Kniffin regarding same; attention to filing new lawsuit (CBA II), including review of complaint, revisions to Motion for Temporary Restraining Order, research on injury requirement for Establishment Clause violations	
7/29/14	Kniffin	6.6	0.5	\$440	\$220.00	Meeting with Messrs. M. Nussbaum, W. Mahaffey, and I. Speir regarding anticipated changes to accommodation and projected impact on accommodation; meeting with W. Mahaffey on underlying statutes referenced in accommodation regulations; legal research regarding same, potential APA lawsuit against new accommodation, standing issues related to same	

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5/13/15	Speir	2.9	1.0	\$420	\$420.00	Research associational standing, venue, and forum shopping for response to government's brief on forum shopping.	
5/14/15	Speir	1.1	0.3	\$420	\$126.00	Research associational standing, venue, and forum shopping for response to government's brief on forum shopping.	
5/18/15	Speir	9.3	1.3	\$420	\$546.00	Research associational standing, venue, and forum shopping for response to government's brief on forum shopping, and draft memo regarding same; conference with Messrs. M. Nussbaum and E. Kniffin regarding responding to government's brief on forum shopping.	
5/25/15	Nussbaum	9.5	1.5	\$610	\$915.00	Review Mr. I. Speir's memorandum re associational standing and forum shopping; review defendant's supplemental brief on forum shopping and the two new decisions, respectively, by the Seventh and D.C. Circuits; identify salient issues requiring response; review and begin revision of plaintiffs' response brief on forum shopping; legal research re association standing.	
9/12/16	Mahaffey	0.8	0.8	\$610	\$488.00	Office conference re associational standing issues for subordinate entity to Diocese that adopts its own health plan	
8/2/17	Mellema	1.0	-	\$0	\$0.00	Research for Mr. E. Kniffin re standing and case and controversy law in the 10th Circuit	The CBA is not seeking fees for any of Mr. Mellema's time. <i>See</i> ECF 188-1 at 45, ECF 192 at 2-3.
TOTALS:		110.2	34.3		\$16,404.50		